

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

<p>IN RE:</p> <p>McCLAIN FEED YARD, INC., McCLAIN FARMS, INC. and 7M CATTLE FEEDERS, INC.,</p> <p style="text-align: center;">Debtors.¹</p>	<p>CASE NO. 23-20084-7-rlj</p> <p>(Jointly Administered Cases)</p> <p>Chapter 7</p>
--	--

**ORDER GRANTING RABO'S MOTION FOR AN ORDER AUTHORIZING AND
DIRECTING THE CHAPTER 7 TRUSTEE TO DISTRIBUTE SALES PROCEEDS
THAT ARE FULLY ENCUMBERED BY RABO'S PERFECTED LIENS BECAUSE
SUCH ASSETS ARE BURDONSOME TO THE ESTATE AND OF
INCONSEQUENTIAL VALUE AND BENEFIT TO THE ESTATE**

This matter came before the Court on June 20, 2024 for a hearing on *Rabo's Motion for an Order Authorizing and Directing the Chapter 7 Trustee to Distribute Sales Proceeds that are Fully Encumbered by Rabo's Perfected Liens Because Such Assets are Burdensome to the Estate and of*

¹ The Debtors in these jointly administered Chapter cases are: (a) McClain Feed Yard, Inc. (Case No. 23-20084), (b) McClain Farms, Inc. (Case No. 23-20885) and 7M Cattle Feeders, Inc. (Case No. 23-20886). All three cases are being jointly administered under the case number for McClain Feed Yard, Inc.

Inconsequential Value and Benefit to the Estate (the “**Motion**”) that has been filed in the above-entitled jointly administered Chapter 7 cases by Rabo AgriFinance LLC (“**Rabo**”).

Prior to the hearing, the Court carefully considered the Motion and all responses filed thereto. At the hearing, the Court carefully considered the arguments and representations of counsel. At the conclusion of the hearing, the Court made its findings and conclusions on the record finding that the Motion was well-taken, and that the relief requested therein should be granted. The Court’s findings and conclusions on the record are incorporated herein by this reference.

Based upon the foregoing, pursuant to 11 U.S.C. §§ 105, 554(b) and 704(a)(1), and for good cause shown, **IT IS HEREBY ORDERED** as follows:

1. The Motion shall be, and it hereby is, granted.
2. The Court finds that the \$185,942.95 in Feed Proceeds, as identified in the Motion, are burdensome to the estate or are of inconsequential value and benefit to the estate, as those terms are used in 11 U.S.C. § 554(b). Accordingly, the Chapter 7 trustee is authorized and directed to abandon to Rabo any remaining interest the bankruptcy estate may have in and to the Feed Proceeds, and to deliver the Feed Proceeds to Rabo.
3. Except with respect to the facts necessary to establish Rabo’s entitlement to the Feed Proceeds as requested in the Motion, nothing set forth herein shall constitute findings or conclusions sufficient to invoke the doctrines of res judicata or collateral estoppel either by or against Rabo or to preclude or bar any claims or causes of action by or against Rabo.

*****END OF ORDER*****

Order Submitted by:

/s/ Michael R. Johnson

Dated: May 9, 2024

Michael R. Johnson
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: mjohnson@rqn.com